

XAVIER BECERRA
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State of California
DEPARTMENT OF JUSTICE



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May 20, 2019

VIA ELECTRONIC MAIL: 72290-74430382@requests.muckrock.com

Anonymous Requester
MuckRock News
DEPT MR 72290
411A Highland Avenue
Somerville, Massachusetts 02144-2516

RE: Public Records Requests Received April 29, 2019 (DOJ PRA 2019-01000) and
May 8, 2019 (DOJ PRA 2019-01084) – Anonymous Person

Dear Sir or Madam:

This letter is in response to your recent correspondences, which were received by the California Department of Justice on April 29, 2019, and May 8, 2019, in which you sought records under the California Public Records Act (Gov. Code, § 6250 et seq.). The date to respond to your first request was extended to May 23, 2019 by letter sent to your email address on May 7, 2019.

Specifically, you requested the following in your first request (received April 29, 2019):

Electronic copies, via email, of all email, calendar invites, text/SMS/MMS/instant messages, or memos sent, written, or received between January 1, 2017 and 2019-04-27(inclusive), to or from (1) any employee or officer and (2) any of the following:

- R1. Donald Trump,*
- R2. Barack Obama*
- R3. Mick Mulvaney*
- R4. Rahm Emanuel*
- R5. Denis McDonough*
- R6. Melania Trump*
- R7. Michelle Obama*
- R8. Eric Holder*
- R9. Loretta Lynch*

*R10. Sally Yates
R11. Dana Boente
R12. Jeff Sessions
R13. Matthew Whitaker
R14. William Barr
R15. Robert Mueller
R16. Rod Rosenstein
R17. Zachary Fuentes
R18. John Kelly
R19. Reince Priebus
R20. John R. Bolton
R21. Kirstjen Nielsen
R22. Kevin McAleenan
R23. Kevin Hassett
R24. Timothy Harleth
R25. Marcia Lee Kelly
R26. James W. Carroll
R27. Kelvin Droegemeier
R28. Robert Lighthizer
R29. Dan Scavino
R30. Sarah Sanders
R31. Katrina Pierson
R32. Ivanka Trump
R33. Peter Navarro
R34. Larry Kudlow
R35. Stephen Miller
R36. Jared Kushner
R37. Kellyanne Conway
R38. Emma Doyle
R39. Pat Cipollone
R40. Jay Sekulow
R41. Rudy Giuliani
R42. Emmet Flood
R43. Johnny DeStefano
R44. any email address ending in whitehouse.gov or eop.gov not included above,
R45. any employee of the Executive Office of the President of the United States,
the White House Office, or the Office of Management and Budget not included
above
R46. any employee or officer of the US Office of the Attorney General, US Office
of the Deputy Attorney General, and the Special Counsel's Office not included
above*

*Electronic copies, via email, of all agreements either executed OR in effect at any
time from January 1, 2017 to 2019-04-27(inclusive) with any of the following:*

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*R47. US Dept of Homeland Security
R48. Federal Bureau of Investigation
R49. US Marshals
R50. Drug Enforcement Administration
R51. Customs and Border Protection
R52. Immigration and Customs Enforcement
R53. Alcohol, Tobacco and Firearms
R54. Joint Terrorism Task Force
R55. Northern California Regional Intelligence Center (NCRIC)
R56. San Diego Law Enforcement Coordination Center
R57. Orange County Intelligence Assessment Center
R58. Los Angeles Joint Regional Intelligence Center
R59. Central California Intelligence Center
R60. US Secret Service
R61. CIA
R62. NSA/CSS
R63. Department of Defense*

In your second request (received May 8, 2019), you specifically requested the following:

Electronic copies, via email, of all email, calendar invites, text/SMS/MMS/instant messages, or memos sent, written, or received between January 1, 2017 and the date of receipt of this request (inclusive), between (using to/from/cc/bcc) (1) any agency employee or officer and (2) any of the following:

*R3. THE TRUMP ORGANIZATION, INC.
R4. TRUMP ORGANIZATION LLC
R5. THE TRUMP CORPORATION
R6. DJT HOLDINGS LLC
R7. a) THE DONALD J. TRUMP REVOCABLE TRUST, b) Donald J. Trump Foundation, and c) Eric Trump Foundation
R8. Trump Golf
R9. Trump Hotels
R10. Trump University
R11. Trump International Realty
R12. the owners or operators of Trump Tower
R13. the owners or operators of Trump International Golf Club
R14. the owners or operators of Trump National Golf Club Mar a Lago
R15. HIGHER GROUND LLC
R16. SOUNDBREAKING LLC
R17. HIGHER GROUND PRODUCTIONS LLC*

Electronic copies, via email, of all agreements, either executed OR in effect, at any time from January 1, 2017 to and the date of receipt of this request (inclusive), between your agency or any of its subordinate units and any of the following:

*R68. THE TRUMP ORGANIZATION, INC.
R69. TRUMP ORGANIZATION LLC
R70. THE TRUMP CORPORATION
R71. DJT HOLDINGS LLC
R72. a) THE DONALD J. TRUMP REVOCABLE TRUST, b) Donald J. Trump Foundation, and c) Eric Trump Foundation
R73. Trump Golf
R74. Trump Hotels
R75. Trump University
R76. Trump International Realty
R77. the owners or operators of Trump Tower
R78. the owners or operators of Trump International Golf Club
R79. the owners or operators of Trump National Golf Club Mar a Lago
R80. HIGHER GROUND LLC
R81. SOUNDBREAKING LLC
R82. HIGHER GROUND PRODUCTIONS LLC
R83. United States Department of Justice
R91. INTERPOL (International Criminal Police Organization)
R93. Bureau of Diplomatic Security
R94. Bureau of Indian Affairs Police
R95. Bureau of Industry and Security
R96. Bureau of Land Management Office of Law Enforcement and Security
R97. United States Coast Guard Police
R98. Computer Crime and Intellectual Property Section
R99. Defense Logistics Agency Police
R102. Department of the Army Civilian Police
R104. Federal Air Marshal Service
R106. Federal Flight Deck Officer
R107. Federal Protective Forces
R108. United States Border Patrol
R109. Federal Reserve Police
R110. Financial Crimes Enforcement Network
R111. United States Coast Guard
R112. United States Fish and Wildlife Service Office of Law Enforcement
R113. United States Government Printing Office Police
R114. United States Department of Homeland Security
R115. US Internal Revenue Service
R116. Hoover Dam Police
R117. National Drug Intelligence Center*

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*R118. National Gang Intelligence Center
R119. National Institutes of Health Police
R120. National Security Agency Protective Services
R121. National Zoological Park Police
R122. United States Naval Academy Police Department
R123. Office of Criminal Investigations
R124. Office of Export Enforcement
R125. Pentagon Force Protection Agency
R126. United States Pentagon Police
R127. Smithsonian Police
R128. Supreme Court Police
R129. United States Air Force Office of Special Investigations
R130. United States Forest Service
R131. United States Department of Veterans Affairs Police
R132. Violent Crime Impact Teams*

Electronic copies, via email, of: R133. the copy of this request as you originally received it, with all parts and attachments.

As an initial matter, we note that your request includes communications with persons not named in the request, such as unnamed employees of companies or organizations, and electronic communications with named persons and entities without specific email addresses. Our records are not maintained, indexed, or categorized according to the parameters or descriptors identified in your request. Unspecific and unfocused requests for government records under the Act are contrary to the purposes of the California Public Records Act, and requestors should provide specific, focused requests in order to give agencies a reasonable opportunity to respond. General, unfocused requests compel agencies to deny them thereby leading to litigation. The request to the agency must itself be focused and specific. (*Rogers v. Superior Court* (1993) 19 Cal.App.4th 469, 481.) For these reasons, we must decline your requests as currently cast to the extent the requests seek communications with unnamed persons, or electronic communications with named persons or entities without specific email addresses.

To the extent your request seeks confidential law enforcement records of the Attorney General, the records are exempt. Government Code section 6254, subdivision (f) expressly exempts from disclosure investigatory and security files of the Attorney General including complaints about unlawful practices. (See *Dick Williams v. Superior Court* (1993) 5 Cal.4th 337, 354.) Investigative records do not lose their exempt status due to a failure to prosecute, or the close of an investigation. (*Id.* at p. 355 [While there may be reasons of policy that would support a time limitation on the exemption for investigatory files, such a limitation is virtually impossible to reconcile with the language and history of subdivision (f).].)

The Gambling Control Act provides that the Bureau of Gambling Control “shall maintain a file of all applications for licenses” and that the file is “open to public inspection.” (Bus. & Prof. Code, § 19821, subd. (b).) The Gambling Control Act specifies that except as provided

therein, the records of the Bureau are exempt from disclosure under the California Public Records Act. (Cal. Bus. & Prof. Code, § 19821, subd. (c).) Business and Professions Code section 19821, subdivision (d), further specifies that it is unlawful for an official or employee of the Department to knowingly disclose or furnish records or information to a person not authorized by law to receive them, except as necessary for the administration of the Gambling Control Act. A review of your records requests suggest no applicable exception to the general exemption from Bureau disclosure under the California Public Records Act set forth in Business and Professions Code section 19821, subdivision (c). For the foregoing reasons, your requests for records under the California Public Records Act is denied to the extent the requests seek records of the Bureau of Gambling Control. (See also Gov. Code, § 6254, subd. (k).)

We have determined that we possess records responsive to your requests, and such records that are not exempt from disclosure under the California Public Records Act will be provided to you by July 22, 2019.

Sincerely,



DEBORAH C. YANG
Deputy Attorney General

For XAVIER BECERRA
Attorney General